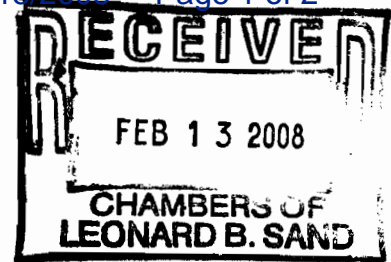




THE CITY OF NEW YORK
LAW DEPARTMENT

100 Church St.
New York, NY 10007



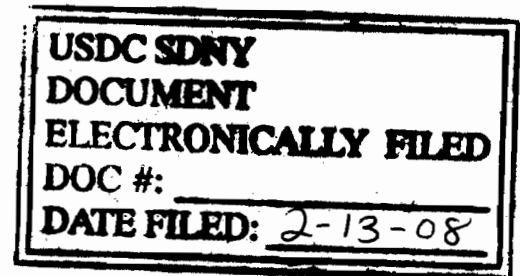
JOYCE CAMPBELL PRIVETERRE
Special Federal Litigation Division
(212) 788-1277
Fax: (212) 788-9776

MICHAEL A. CARDOZO
Corporation Counsel

February 13, 2008

MEMO ENDORSED

Via Facsimile (212) 805-7919
The Honorable Leonard B. Sand
United States District Judge
Southern District of New York
500 Pearl Street, Room 1650
New York, New York 10007-1312



Re: Jose Sierra v. City of New York et al.
08 CV 0507 (LBS)

Your Honor:

I am the Assistant Corporation Counsel in the Office of Michael A. Cardozo, Corporation Counsel of the City of New York, attorney for defendant City. Plaintiff has filed the above-referenced complaint, wherein he alleges, *inter alia*, that on October 21, 2006, he was falsely arrested and detained by New York City police officers. Plaintiff further asserts a claim for excessive force. Defendant City respectfully requests an extension of the time to answer or otherwise respond to the complaint from February 11, 2008 to April 11, 2008. Plaintiff's attorney, Izabel Olszowa Garcia, Esq., consents to this request.

Defendant has several reasons for seeking an enlargement of time. In accordance with this office's obligations under Rule 11 of the Federal Rules of Civil Procedure, the City requires additional time to investigate plaintiff's allegations. With respect to the false arrest charge, it is our understanding that records pertaining to the underlying criminal action, including police records, may have been sealed pursuant to New York Criminal Procedure Law § 160.50.

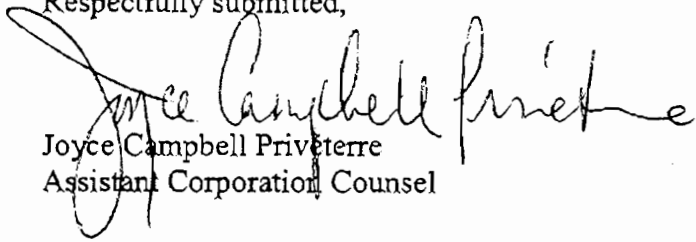
Additionally, plaintiff alleges that he sustained physical injury and emotional distress resulting from this purported incident. Therefore, this office is in the process of forwarding to plaintiff for execution a consent and authorization for the release of pertinent sealed records, as well as medical authorizations to obtain records pertaining to his purported injuries. The enlargement of time will enable the City to properly assess the case and respond to the complaint.

MEMO ENDORSED

No previous request for an enlargement of time has been made. Accordingly, we respectfully request that defendant City's time to answer or otherwise respond to the complaint be extended to April 11, 2008.



Thank you for your consideration in this matter.

Respectfully submitted,


Joyce Campbell Priveterre
Assistant Corporation Counsel

cc: Via Facsimile (212) 557-7765

Izabel Olszowa Garcia, Esq.
Attorney for Plaintiff
26 Court Street, Suite 1815
Brooklyn, New York 11242
Tel: (646) 239-4330



J. Sant
2/13/08

MEMO ENDORSED